

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.15952 of 2019

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Kanhaya Lal Das Son of Late Tej Narayan Lal Das, Resident of Village-
Madhepur Panchayat Madhepur (West), Block- Madhepur, P.S.- Madhepur,
District- Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar Through Principal Secretary, Food and Civil Supply
Department, Govt. of Bihar, Patna.
2. The District Magistrate-cum- Collector Madhubani.
3. The Sub- Divisional Officer Jhanjharpur.
4. The Block Supply Officer Madhepur.

... .. Respondent/s

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Appearance :

For the Petitioner/s : Mr.Akash Chaturvedi
For the Respondent/s : Mr. Alok Ranjan AC to AAG5

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 25-11-2020 Heard both sides.

The matter has been taken up through video conferencing.

The petitioner has filed this writ petition for quashing the order dated 25.05.2019, as contained in memo No. 157, (Annexure-7) by which the license of the petitioner has been cancelled.

The learned counsel for the petitioner submits that the petitioner had earlier come before this court in CWJC No. 496 of 2019 and this court found that the Sub divisional Officer did not consider the show cause of the petitioner and, accordingly, set aside the order dated 10.12.2018, as contained in memo No. 551 (Annexure-3) with a direction to the Sub divisional Officer, Jhanjharpur to consider the show cause of the petitioner and pass order in accordance with law. Thereafter, the Sub divisional



Officer again passed the order without considering the show cause of the petitioner.

On the face of it, it appears that the Sub divisional Officer passed the order in pursuance of the order of this court after considering the show cause of the petitioner.

It is pointed out that there is statutory provision of appeal and revision before the Collector and the Divisional Commissioner but the petitioner has straight forward approached this court. On such, the learned counsel for the petitioner seeks permission to withdraw this writ petition to file appeal before the Collector, Madhubani against the order (Annexure-7) within 30 days from the date of this order.

In view of submission made by the learned counsel for the petitioner, I dispose of this writ petition with a direction to the petitioner to file appeal before the Collector, Madhubani within 30 days from the date of this order and thereafter the Collector shall dispose of the appeal and pass reasoned order within 60 days from the date of its filing.

With the aforesaid direction, this writ petition is disposed of.

(Prabhat Kumar Jha, J)

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